



## OPERATIONS AUTHORIZATION FORM

Operator: (attach Schedule "A", where applicable)

Operating Licence Number:

Land Interest Licence Number(s):

Application Document Title:

Date of Application Document:

WHEREAS Pursuant to sections 138 and 134 of the *Canada-Newfoundland Atlantic Accord Implementation Act*<sup>1</sup> (C-NAAIA) and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*<sup>2</sup> (C-NLAAINLA) respectively, the Operator has applied for an authorization to conduct work or activity in the portion of the offshore area subject to the Land Interest and in accordance with the documentation provided in support of its application,

AND WHEREAS the Canada – Newfoundland and Labrador Offshore Petroleum Board (the Board) has considered the application in consultation with the Chief Safety Officer and Chief Conservation Officer.

The Operator is hereby authorized to conduct the work or activity described in the application subject to the following conditions:

1. This Authorization is issued to the above-named Operator and cannot be transferred or assigned;
2. The Operator shall notify the Chairman of any change in the program, equipment, installations, procedures and personnel qualifications as described in the application before implementing that change.
3. All work or activity conducted pursuant to this Authorization shall be in compliance with *the C-NAAIA* and the *C-NLAAINLA* and regulations made thereunder;
4. The Operator shall, during the term of this Authorization, comply with the provisions of the *Petroleum Occupational Safety and Health Regulations - Offshore Newfoundland (Draft)* dated November, 1989;
5. In the event of any conflict or inconsistency between the provisions referred to in condition 4 and the provision of any regulation or any standard incorporated by reference in a regulation proclaimed under law to be in force, the provision of that regulation or standard shall prevail to the extent of resolving such inconsistency or conflict;
6. For greater certainty and without affecting any other requirements in law, the Operator shall comply with such requirements respecting employer general duties, occupational health & safety committees, and the refusal to work as described in the *Other Requirements Respecting Health & Safety*, as amended from time to time;

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<sup>1</sup> S.C. 1987, c.3.

<sup>2</sup> RSNL 1990, c.C-2.

7. The Operator shall comply with the security requirements as described in the *Requirements Respecting the Security of Offshore facilities*, as amended from time to time;
8. The Operator shall comply with the *Guidelines for Research and Development Expenditures* as issued by the Board November 5, 2004 and with effect from April 1, 2004;
9. The Operator shall ensure that any installation specific audit findings made by the Board are corrected as soon as reasonably practicable, notwithstanding which operator was in control of the installation in the Newfoundland and Labrador Offshore Area at the time any audit finding was documented;
10. Where an installation is being shared between operators in the offshore area, the Board will, for the purpose of enforcement and administration of the *C-NAAIAA* and the *C-NLAAINLA*, share installation specific audit findings with any other operator who from time to time will have an authorization for that installation to conduct work in the Newfoundland and Labrador Offshore Area;
11. The Operator shall comply with the requirements and conditions of acceptance respecting the documentation referred to in the *Proof of Financial Responsibility for Work Authorization* form submitted by the Operator regarding this Authorization;
12. The Operator shall implement, or cause to be implemented, the mitigation measures outlined in any Environmental Assessment conducted pursuant to the *Canadian Environmental Assessment Act*, in respect of its programs;
13. The Operator shall satisfy all regulations, requirements, and approvals administered or established by any other regulatory body, government department or agency which has jurisdiction in any way respecting the work or activity relating to this Authorization;
14. The following conditions of indemnity shall apply with respect to the conduct of all work or activity relating to this Authorization:
  - (a) the Operator shall indemnify affected parties for any costs, expenses, damages, claims or losses attributable to the fault or negligence of the Operator, its contractors or subcontractors, in conducting the work or activity;
  - (b) such indemnity will apply to any legal costs or expenses incurred by the Board, Chief Safety Officer, Chief Conservation Officer or designate in pursuing or defending any legal proceedings respecting the work or activity, except to the extent a court may otherwise decide; and,
  - (c) such indemnity does not suspend or limit:
    - (i) any legal liability or remedy for an act or omission by reason only that the act or omission is an offence or gives rise to liability under *C-NAAIAA* and the *C-NLAAINLA*;
    - (ii) any recourse, indemnity or relief available at law to a person who is liable under the *C-NAAIAA* and the *C-NLAAINLA* against any other person; or,
    - (iii) the operation of any applicable laws or rules of law that is not inconsistent with the *C-NAAIAA* and the *C-NLAAINLA*;
15. The Board reserves the right, effective upon written notice to the Operator, to revise, waive, or add any term or condition during the time this Authorization is in effect;
16. This Authorization is issued subject to the Operator's compliance with the Benefits Plan and the Development Plan as approved by the Board, together with any amendment(s) to either of them;
17. If any installation which is the subject of this Authorization leaves the offshore area and returns to conduct further work or activities, the Board reserves the right to request additional information respecting the resumption of the program and, where necessary, to address any deviation from this Authorization;
18. In the event any production installation(s) suffer(s) a total loss or is/are permanently and irreparably

damaged, and can no longer continue producing operations, the Operator shall, as soon as practicable following the event, submit a plan respecting abandonment and decommissioning of the production installation(s) to the Board for approval and shall, following approval, implement that plan;

19. This Authorization shall be posted onboard all installations to which it applies at all times during which operations are being conducted; and
20. The Operator shall comply with such other conditions as may be appended to this Authorization.

Signed: \_\_\_\_\_  
**Chairman**

Effective Date: \_\_\_\_\_

Program No. \_\_\_\_\_

Expiry Date: \_\_\_\_\_

<sup>1</sup>S.C.1987, c.3  
<sup>2</sup>R.S.N.L. 1990, c. C-2

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